THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 21894 OF 1997

DATE: 19-2-2007

Between:

K.Suryanarayana .... Petitioner

And

1. The Managing Director,
A.P.S.R.T.C. Hyderabad and 2 others .... Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 21894 OF 1997

ORDER:

Petitioner, an apprentice, claims appointment as a Mechanic/Cleaner/Kalasi/Artisan or in any other suitable post in A.P.S.R.T.C. on the ground that he completed apprenticeship with the A.P.S.R.T.C. and had also passed the Trade Test.

Sri B.Malleswari, learned counsel for the petitioner would place reliance on a judgment of the Supreme Court in **U.P.S.R.T.C v. U.P. Parivahan Nigam Shishukhs Berozgar Sangh**[1] wherein the Supreme Court held that, other things being equal, a trained apprentice should be given preference over direct recruits and that if the age bar would come in the way of the trainee, the same should be relaxed in accordance with what is stated in this regard, if any, in the service rules concerned and that the persons trained earlier should be treated as senior to persons trained later.

Sri P.Vinayaka Swamy, Learned Standing Counsel for the respondents, would place before this Court a copy of the letter dated 5.3.1998 wherein it is stated that the petitioner's case would be considered in terms of Circular dated 17.4.1997 and that he stood at 47th position in the seniority of I.T.I. apprentices who underwent apprenticeship in A.P.S.R.T.C.

Both Smt. B.Malleswari, Learned Counsel for the petitioner and Sri Vinayakaswamy, Learned Standing Counsel for the respondents express ignorance about subsequent events. All that is stated in the affidavit is that instead of appointing the petitioner, his juniors were considered for appointment to the post of Kalasi.

Since it is admitted that the petitioner stood at 47th place in the seniority list of I.T.I. apprentices, and in the light of the allegations that persons juniors to him were appointed ignoring his

claims, ends of justice would be met if the respondents are directed to consider the case of the petitioner for appointment to the post of Mechanic/Cleaner/ Kalasi/Artisan or any other suitable post strictly in accordance with the seniority of I.T.I. apprentices in accordance with law.

The writ petition is accordingly disposed of. No costs.

_____

19-2-2007
asp

---

[1] 1995(2) LLJ 854